

REMARKS

Applicants respectfully request entry of the amendments below because they place the claims in condition for allowance or at least in better condition for appeal. Reconsideration of the present application in view of the amendments and remarks below is respectfully requested.

Claims 1-20, 24, 31 and 32 were pending in this application. Claims 1-5, 9-13, 16-19 were rejected. Claims 6, 7, 14, 15, 20 and 24 were objected to. Claims 8, 31 and 32 were allowed. Claims 1, 3, 4, 8, 9, 11 and 12 have been amended. Claims 18 and 19 have been canceled. Presently, Claims 1-17, 20, 24, 31 and 32 are pending in the present application.

Claims 1, 3, 4, 9, 11 and 12 have been amended to delete the option of substituting Ar<sup>1</sup> with three groups selected from R<sup>b</sup>.

Claim 8 has been amended to add an "and" after compound 23 and before compound 24 of the Markush group.

Claims 18 and 19 have been canceled without prejudice to filing a divisional application directed to the subject matter claimed therein.

No new matter has been added to the above-captioned application by the above amendments.

Claim Rejections - 35 USC § 112

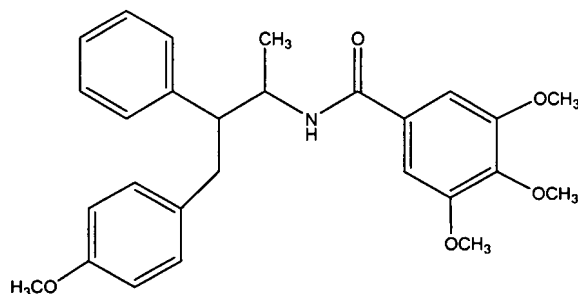
The Examiner stated that Claims 18 and 19 fail to comply with the enablement requirement. The Examiner indicated that the Applicants should limit their claims to treating rather than preventing.

Applicants respectfully submit that Claims 18 and 19 are enabled. However, in order to expedite prosecution of the present application, Applicants have canceled Claims 18 and 19 without prejudice to filing a divisional application directed to the subject matter claimed therein.

In view of the above cancellations of Claims 18 and 19, Applicants respectfully submit that the rejection of Claims 18 and 19 under 35 USC § 112 is moot and should be withdrawn.

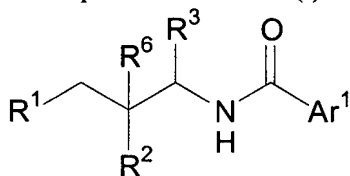
Claim Rejections - 35 USC § 102

The Examiner stated that Claims 1-5, 9-13 and 16-17 are rejected under 35 USC § 102(b) as being anticipated by Ishiwata et al. (Yakugaku Zasshi, 1951). The Examiner stated that Ishiwata et al., page 1274, compound (IV):



anticipates the instant compound claims, when R1 is methoxy substituted phenyl, R2 is phenyl and Ar is tri-methoxy substituted phenyl, and composition claims since the Ishiwata compound is in water.

The present invention claims compounds of formula (I) and compositions thereof:



(I)

Applicants have amended Claims 1, 3, 4, 9, 11 and 12 of the present invention to claim Ar<sup>1</sup> groups optionally substituted with one or two groups independently selected from R<sup>b</sup>. Compound IV on page 1274 of the Ishiwata reference does not fall within the scope of amended Claims 1, 3, 4, 9, 11 and 12. Claims 2, 5, 10, 13, 16 and 17 directly or indirectly depend from Claim 1, and incorporate the amendment to Claim 1. As a result, compound IV on page 1274 of the Ishiwata reference does not fall within the scope of the dependent claims 2, 5, 10, 13, 16 and 17 of the present invention.

In view of the above amendments, Applicants respectfully submit that the present Claims are novel and request reconsideration and withdrawal of the rejection of Claims 1-5, 9-13 and 16-17 under 35 USC 102(b).

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Allowable Subject Matter

The Examiner stated that Claims 6-7, 14-15, 20 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

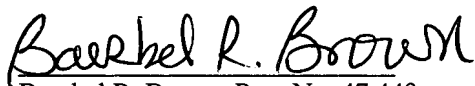
Applicants submit that Claims 6-7, 14-15, 20 and 24 depend directly from Claim 1 or from claims that depend from Claim 1, and incorporate the amendments to Claim 1, and the intervening claims.

In view of the amendments, Applicants respectfully submit that the present claims are novel and request reconsideration and withdrawal of the objection to Claims 6-7, 14-15, 20 and 24 as being dependent upon rejected base claims.

Applicants believe that all of the rejections have been overcome and therefore earnestly solicit an early Notice of Allowance.

Respectfully submitted,

By



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